IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16612 of 2004

Between:

A.P. Private Nursing School Management, Association,

Nampally Station Road, Hyderabad.
Rep by its President Sri K. Sreerama Murthy, S/o. Pedda

Subbaiah, Hindu, aged 51 years,
H.No. 6-4-620, Nampally, Hyderabad.

... PETITIONER

AND

1 The Government of A.P. Rep by its Prl. Secretary,

Medical, Health & Family Welfare Department,
Secretariat, Hyderabad.
2 The Govt. of A.P. Rep by its Director of Medical

Education, Sultan Bazar, Koti, Hyderabad.
3 The Registrar, Nursing Council, Sultan Bazar, Koti,

Hyderabad.
4 Indian Nursing Council, rep by its Secretary, Combined

Building, Kotla Road, New Delhi.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not withdrawing the permissions granted to establish Nursing Schools and Colleges in contravention INC regulations and G.O.Ms. No. 313 dated 16-8-1997 as illegal, arbitrary and in violation of Principles of Natural Justice and consequently direct the Respondents to dispose of the application submitted by the petitioner on 27-4-2004 and withdraw all the permissions granted without following the INC regulations and G.O.Ms. No. 313 dated 16-8-1997 to start establish Nursing Schools and Colleges.

Counsel for the Petitioner: MR.G.V.N.PRASAD

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court at the admission stage made the following:

ORDER:

Without impleading the Nursing school against which the action proposed to be taken by issuing a Mandamus has been sought, the same cannot be issued against such nursing schools for evaluation of conditions as per G.O.Ms.No.313, dated 16-08-1997.

2. Since the petitioner submitted an application to the respondents on 22-04-2004 seeking withdrawal of the permission granted, it is for the authorities to consider the said representation of the petitioner and pass appropriate orders and indicate the action taken, if any, to the petitioner.

The Writ Petition is devoid of merit and it is accordingly dismissed. No costs.

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A. **GOPAL REDDY, J**

September 16, 2004

MRR

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

1 The Government of A.P. Rep by its Prl. Secretary,

Medical, Health & Family Welfare Department,
Secretariat, Hyderabad.

2 The Govt. of A.P. Rep by its Director of Medical

Education, Sultan Bazar, Koti, Hyderabad.

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Building, Kotla Road, New Delhi.

5 Two C.C.s to the G.P. for GP FOR MEDICAL HEALTH &

FAMI.WELFARE, High Court Buildings, Hyderabad (OUT).

6 Two C.D. Copies.